

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCUS RUBEN ELLINGTON,

No. C-12-6125 EMC (pr)

Petitioner,

v.

ORDER OF TRANSFER

SALINAS VALLEY STATE PRISON,

Respondent.

Petitioner, an inmate at the California State Prison in Lancaster, has filed a petition for writ of habeas corpus to challenge the execution of his sentence, *i.e.*, a prison disciplinary decision. Although the disciplinary decision occurred while he was housed at Salinas Valley State Prison, he has since been transferred to a new prison. The prison at which Petitioner is now incarcerated is in Los Angeles County, within the venue of the Central District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. *See* Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because Petitioner is confined in the Central District of California and challenging the execution of his

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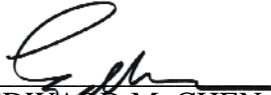
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1 sentence, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice,
2 this action is **TRANSFERRED** to the United States District Court for the Central District of
3 California. The Clerk shall transfer this matter forthwith.

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5 IT IS SO ORDERED.

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7 Dated: March 4, 2013

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9 EDWARD M. CHEN
10 United States District Judge
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